

1-1 By: Ellis S.B. No. 1867
1-2 (In the Senate - Filed March 11, 2009; March 24, 2009, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 14, 2009, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; April 14, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to procedures related to the placement of a voter on the
1-9 suspense list.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 14.022, Election Code, is amended to
1-12 read as follows:

1-13 Sec. 14.022. ERRONEOUS RETURN OF RENEWAL CERTIFICATE. A
1-14 voter registrar shall determine whether [If the registrar
1-15 determines that] a voter's renewal certificate was returned
1-16 undelivered solely because of postal service error, address
1-17 reclassification, or the registrar's clerical error. If the
1-18 registrar determines that the certificate was returned solely
1-19 because of that error or reclassification, the registrar shall
1-20 delete the voter's name from the suspense list, make any other
1-21 appropriate corrections in the registration records, and deliver
1-22 the certificate to the voter.

1-23 SECTION 2. Section 16.032, Election Code, is amended to
1-24 read as follows:

1-25 Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST
1-26 PERIOD. (a) If on November 30 following the second general
1-27 election for state and county officers that occurs after the date
1-28 the voter's name is entered on the suspense list a registered
1-29 voter's name appears on the suspense list, the registrar shall
1-30 cancel the voter's registration unless the name is to be deleted
1-31 from the list under Section 15.023.

1-32 (b) For purposes of Subsection (a), if a voter whose name
1-33 appears on the suspense list is shown to have voted in an election
1-34 and the name is not to be deleted from the list under Section
1-35 15.023, the date on which the voter is considered to have been
1-36 entered on the suspense list is the date of the most recent election
1-37 in which the voter voted.

1-38 SECTION 3. Section 63.0011, Election Code, is amended by
1-39 adding Subsection (f) to read as follows:

1-40 (f) The secretary of state shall adopt rules to provide for
1-41 the uniform and auditable processing of a statement of residence
1-42 required under this section.

1-43 SECTION 4. The change in law made by this Act to Section
1-44 14.022, Election Code, applies only to a voter registration renewal
1-45 certificate returned undelivered and received by a voter registrar
1-46 on or after the effective date of this Act. A voter registration
1-47 renewal certificate returned undelivered and received by a voter
1-48 registrar before the effective date of this Act is governed by the
1-49 law in effect when the registrar received the undelivered
1-50 certificate, and the former law is continued in effect for that
1-51 purpose.

1-52 SECTION 5. This Act takes effect September 1, 2009.

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